

### **REMARKS**

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the Office Action of October 20, 2005 (hereinafter "Office Action"). In response, Applicants have amended independent Claims 1, 12, and 23 to incorporate recitations from dependent Claims 11, 22, and 33, respectively, to clarify that authorization is obtained from a media broadcaster to allow the streaming media to be rebroadcast over the wireless network and that a subscription is obtained at the wireless network from the at least one mobile terminal that receives the rebroadcast of the streaming media. Dependent Claims 11, 22, and 33 have been canceled without prejudice or disclaimer. Applicants respectfully submit that the cited references fail to disclose or suggest all of the recitations of independent Claims 1, 12, and 23, as amended. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

#### **Interview Summary**

Applicants wish to thank the Examiner for discussing the pending claims with Applicants' representative, Scott Moore (Reg. No. 42,011) on January 12, 2006. During the interview, Applicants' representative stated that the independent Claims 1, 12, and 23 may be amended as indicated above; however, no agreement was reached as to the patentability of the pending independent claims as amended. Applicants respectfully request that the present remarks constitute an Interview Summary pursuant to MPEP §713.04.

#### **Independent Claims 1, 12, and 23 are Patentable**

Dependent Claims 11, 22, and 33 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent Publication No. 2004/0057420 to Curcio *et al.* (hereinafter "Curcio") in view of United States Patent Publication No. 2003/0224781 to Milford *et al.* (hereinafter "Milford"). (Office Action, page 13). Independent Claims 1, 12, and 23 have been amended to incorporate the recitations of Claims 11, 22, and 33, respectively. For example, independent Claim 1 now recites, in part:

providing a wireless communication network that has bandwidth  
associated therewith to facilitate communication between at least one mobile

terminal and another communication device;

**obtaining authorization from a media broadcaster that provides streaming media to rebroadcast the streaming media over the wireless network;**

**obtaining a subscription at the wireless network from the at least one mobile terminal for the streaming media; then**

**transmitting the streaming media to the at least one mobile terminal using the bandwidth associated with the wireless network.**

Independent Claims 12 and 23 include similar recitations. As highlighted above, authorization is obtained from a media broadcaster to rebroadcast streaming media over a wireless network. A subscription is obtained at the wireless network from one or more mobile terminals for the streaming media.

The Office Action alleges that Curcio teaches most of the recitations of Claim 11 and that Milford teaches the recitation directed to obtaining a subscription at the wireless network from the at least one mobile terminal for the streaming media. (Office Action, page 13). Applicants acknowledge that Milford describes a service broker that is used to manage telecommunications services, such that users may subscribe to one or more deployable services. (Milford, paragraph 44). Applicants submit, however, that even if the teachings of Curcio and Milford are combined, they do not teach all of the recitations of the independent claims as amended. Specifically, Curcio describes a method for packet switched streaming of media in which a client device 101 communicates directly with a streaming server 111 to initiate a streaming session. Curcio explains these operations in paragraphs 61 and 76 as follows:

[0061] In a preferred embodiment of the invention, a streaming session is initiated between the client device 101 and the streaming server 111. RTSP (Real Time Streaming Protocol) protocol is used in the streaming session setup. Once the session has been established, the streaming itself may be performed (i.e. media flow may be sent) according to RTP (Real time Transport Protocol) or another protocol. However, if it is desired to make a change in the established session, this will again be done by using RTSP.

...

[0076] A preferred embodiment of the invention presents a client-server based method, wherein the client 101 monitors the changes in the available air-interface downlink bandwidth for streaming media. If the available bandwidth changes, for example due to changes in the time slot configuration or coding scheme (or modulation and coding scheme), the client

101 detects the change of the available bandwidth and requests the streaming server 111 to adapt the server bandwidth. By the term 'server bandwidth' is meant the transmission bit rate at which the server sends the streaming media.

Thus, Curcio describes a method in which the client device 101 and the streaming server 111 communicate with each other in establishing a streaming session over a radio access network 102 to which the client device 101 is connected. Accordingly, if the teachings of Milford were to be combined with the teachings of Curcio, then the result would appear to be a modification of the streaming server 111 to include a streaming media service broker that would allow the client device 101 to subscribe to the streaming media. The combination of Curcio and Milford does not appear to disclose or suggest, however, obtaining a subscription at the wireless network from the at least one mobile terminal for the streaming media as recited in the independent claims as amended. As described above, the combination of Milford and Curcio describes a method in which a client device obtains a subscription from the streaming server, not the radio access network. Moreover, the combination of Curcio and Milford does not appear to contain any disclosure related to obtaining authorization from a media broadcaster that provides the streaming media to rebroadcast the streaming media over the wireless network as recited in the independent claims as amended. The only communication described in Curcio appears to be between the streaming server 111 and the client device 101. Applicants can find no disclosure therein related to the radio access network 102 obtaining authorization to rebroadcast the streaming media from the streaming server 111 to the client device 101.

For at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 12, and 23 are patentable over Curcio in view of Milford, and that dependent Claims 2 - 10, 13 - 21, and 24 - 32 are patentable at least by virtue of their depending from an allowable claim.

In re: Dennison et al.  
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Filed: December 10, 2003  
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### CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

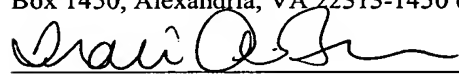


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